

1 Andrew H. Wilson  
WILSON, RYAN & CAMPILONGO  
2 235 Montgomery Street  
Suite 450  
3 San Francisco, California 94104  
(415) 391-3900

4 Laurie J. Bartilson  
5 BOWLES & MOXON  
6 6255 Sunset Boulevard, Suite 2000  
Hollywood, CA 90028  
(213) 953-3360

7 Attorneys for Plaintiff and  
8 Cross-Defendant CHURCH OF SCIENTOLOGY  
INTERNATIONAL  
9

**RECEIVED**  
**MAR 03 1994**  
**HUB LAW OFFICES**

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF MARIN

12 CHURCH OF SCIENTOLOGY )	CASE NO. 157 680
13 INTERNATIONAL, a California not-for-profit )	
14 religious corporation; )	CHURCH OF SCIENTOLOGY
15 Plaintiffs, )	INTERNATIONAL'S DEMURRER
16 vs. )	TO GERALD ARMSTRONG'S
17 GERALD ARMSTRONG; MICHAEL )	FIRST AMENDED CROSS-
18 WALTON; et al., )	COMPLAINT
19 Defendants. )	
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20 GERALD ARMSTRONG, )	DISCOVERY CUT-OFF: None
21 Cross-Complainant, )	MOTION CUT-OFF: None
22 vs. )	TRIAL DATE: None
23 CHURCH OF SCIENTOLOGY )	
24 INTERNATIONAL, a California Corporation; )	
25 DAVID MISCAVIGE; )	
26 DOES 1 to 100; )	
27 Cross-Defendants. )	
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28 Plaintiff and cross-defendant, Church of Scientology International ("the Church"), demurs to the first and second causes of action in the first amended cross-complaint of Gerald Armstrong on the following grounds:

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1. The cross-complaint does not state facts sufficient to constitute a cause of action against the Church;

2. There is another action pending between the parties to this cross-complaint on the same cause of action as alleged in the cross-complaint. That action is the cross-complaint in Case No. BC 052395 in the Superior Court of Los Angeles County, and the Church asks that the Court take judicial notice of that action under Evidence Code Section 42(d). Certified copies of the Verified Amended Cross-Complaint and the Church's Answer to Verified Amended Cross-Complaint were previously provided to the Court as Exhibits 1 and 2 to the Church's Request for Judicial Notice filed on January 3, 1994.

DATED: March 1, 1994

BOWLES & MOXON

By: Laurie J. Bartilson #12  
Laurie J. Bartilson

Andrew H. Wilson  
WILSON, RYAN & CAMPILONGO

Attorneys for Plaintiff and Cross-Defendant CHURCH OF SCIENTOLOGY INTERNATIONAL

PROOF OF SERVICE

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Los Angeles, CA 90028.

On March 1, 1994, I served the foregoing document described as CHURCH OF SCIENTOLOGY INTERNATIONAL'S DEMURRER TO GERALD ARMSTRONG'S FIRST AMENDED CROSS-COMPLAINT on interested parties in this action,

by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

by placing  the original  true copies thereof in sealed envelopes addressed as follows:

FORD GREENE  
HUB Law Offices  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

MICHAEL WALTON  
P.O. Box 751  
San Anselmo, CA 94979

BY MAIL

\*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on March 1, 1994, at Los Angeles, California.

\*\*(BY PERSONAL SERVICE) I delivered such envelopes by hand to the offices of the addressees.

Executed on \_\_\_\_\_, at Los Angeles, California.

[ ] BY FACSIMILE TRANSMISSION: From FAX No. (213) 953-3351 to the below persons at the facsimile numbers indicated, at \_\_\_\_\_.m., directed to the below addresses. The facsimile machine I used complied with Rule 2003(3), and no error was reported by the machine. Pursuant to Rule 2005(i), I caused the machine to print records of the transmissions, copies of which are attached to this declaration.

FORD GREENE  
HUB Law Offices  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949  
FAX No. (415) 456-5318

MICHAEL WALTON  
P.O. Box 751  
San Anselmo, CA 94979  
FAX No. (415) 394-8560

Executed on \_\_\_\_\_, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Signature

\* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of messenger)